IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

Bail Appl..No. 284 of 2007()

OR 9/05 of Palappilly Forest Range
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: PETITIONER/ACCUSED NO.4

ABOOBACKER.P.P., PANDANAPPILLY HOUSE,
ELIKODU P.O., PALAPPILLY.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: STATE & COMPLAINANT
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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE RANGE OFFICER, PALAPPILLY FOREST
RANGE, THRISSUR DISTRICT.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.284 of 2007

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Dated this the 18th day of January, 2007.

ORDER

Petitioner, who is the fourth accused in OR No.9 of 2005 of Palappilly Forest Range for offences punishable under Sections 2(2), (16),(20), 31, 35, 36, 39, 44, 49A, 50 and 51 of Wild Life Protection Act for allegedly sharing the meat of a wild bear which was killed by the first accused after hunting in the reserve forest, seeks anticipatory bail.

2. Even though the learned Public Prosecutor opposed the application, since the statement of the first accused implicating the petitioner herein does not say that the petitioner was in his company when the offence of hunting the wild bear was committed by A1, I am inclined to grant anticipatory bail to the petitioner.

3. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

5. The petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,

JUDGE.

ess 18/1